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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,760	04/02/2004	Koichiro Hirabayashi	YAMAP0925US	1137

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EXAMINER

KAYRISH, MATTHEW

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/816,760

Applicant(s)

HIRABAYASHI ET AL.

Examiner

Matthew G. Kayrish

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1 and 3 have been considered but are moot in view of the new ground(s) of rejection. Claim 1 has been amended to include the limitations of claim 2. This rejection is made FINAL.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being unpatentable over Doutsubo (US Patent Number 5081549), in view of Fujimori et al (Japanese Patent Number JP 63214956 A).

Regarding claim 1, Doutsubo discloses:

A magnetic recording and reproduction apparatus for recording information to, and/or reproducing information from, a magnetic tape accommodated in a cassette, the magnetic recording and reproduction apparatus comprising:

A main chassis (figure 1, item 1) on which a rotatable head cylinder (figure 1, item 11) for recording information to, and/or reproducing information from (column 1, lines 52-55), the magnetic tape (column 1, lines 52-55) is mounted;

A sub chassis (figure 2, item 2) movable relative to the main chassis (column 6, lines 1-9);

A cassette holder (figure 2, item 20) for holding the cassette (column 5, lines 45-47) and mounting the cassette on the sub chassis (column 5, lines 48-51);

A cassette holder elevating section (figure 2, item 120) for moving the cassette holder up and down with respect to the sub chassis (column 5, lines 38-40);

A holder engaging section provided on the main chassis (figure 2, item 122); and

A main chassis engaging section provided on the cassette holder (figure 2, item 121); and

A guide section (figure 2, items 15 & 25 are positioned in this section) for including a projection guide (figure 18, items 14 & 15) section provided on the main chassis (figure 18, items 14 & 15 are on main chassis) and a guide groove provided in the sub chassis (figure 19, items 24 & 25), the guide section guiding the sub chassis relative to the main chassis by the projection guide section (figure 3, item 15) and the guide groove (figure 3, item 25) being engaged with each other (figure 3, item 15 & item 25 are engaged);

Wherein:

The sub chassis is movable relative to the main chassis from a cassette mountable position at which the cassette is mountable on the sub chassis (position of figure 3, column 5, lines 48-51) to a tape pull-out position at which the magnetic tape has been pulled out from the cassette and wound around the rotatable head cylinder (position of figure 4, column 16, lines 7 & 8);

The holder engaging section and the main chassis engaging section are engaged with each other at the tape pullout position (figure 4, items 121 & 122 are engaged).

Doutsubo fails to disclose:

A magnetic recording and reproduction apparatus comprising:

A holder engaging section and a main chassis engaging section are engaged with each other in the state where at least one of the main chassis engaging section and the holder engaging section is inserted through the guide groove.

Fujimori et al disclose:

A magnetic recording and reproduction apparatus comprising:

A holder engaging section (figure 6, item 87) and a main chassis engaging section (figure 5, item 79) are engaged with each other (figure 7, items 79 & 87 are engaged) in the state where at least one of the main chassis engaging section and the holder engaging section is inserted through a guide groove ((figure 5, item 78 points to the guide groove) & (figure 6, item 79 is inserted through the guide groove)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a guide groove in the sub chassis, of Doutsubo, to be engaged by a hook for locking the cassette holder to the main chassis, as taught by Fujimori et al, because this will provide the stability needed to hold the cassette holder level for an accurate recording and playback. The engaging mechanism will serve as a support in the center of the cassette holder, thereby, holding the cassette

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holder from the middle portion. This will help to keep the cassette level while recording and playing, despite being biased to elevate upward by the spring force.

Regarding claim 3, Doutsubo discloses:

A magnetic recording and reproduction apparatus according to claim 1, further comprising a holder locking section (figure 34, item 128 & 142) for engaging the cassette holder and the sub chassis (figure 32, item 128 & 147 are engaged, and the holder is positioned on the sub chassis), wherein the holder locking section is provided on a side of the magnetic recording and reproduction apparatus which is opposite (column 14, lines 7-12), with respect to the center of the magnetic recording and reproduction apparatus, to the side where the holder engaging section and the main chassis engaging section are provided (column 15, lines 65-68).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew G. Kayrish whose telephone number is 571-272-4220. The examiner can normally be reached on 8am - 5pm M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Matthew G. Kayrish

1/3/2007

MK



1/3/2007



THANG V. TRAN
PRIMARY EXAMINER